

# House Study Bill 285

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY JOINT  
APPROPRIATIONS SUBCOMMITTEE ON  
ADMINISTRATION AND REGULATION)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to and making appropriations to certain state  
2 departments, agencies, funds, and certain other entities,  
3 providing for regulatory authority, and other properly related  
4 matters, and providing effective and retroactive applicability  
5 dates.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 1000JB 83  
8 ec/tm:jp/24

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1 1 DIVISION I  
1 2 ADMINISTRATION AND REGULATION APPROPRIATIONS  
1 3 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.  
1 4 1. There is appropriated from the general fund of the  
1 5 state to the department of administrative services for the  
1 6 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
1 7 the following amounts, or so much thereof as is necessary, to  
1 8 be used for the purposes designated:  
1 9 a. For salaries, support, maintenance, and miscellaneous  
1 10 purposes, and for not more than the following full-time  
1 11 equivalent positions:  
1 12 ..... \$ 5,349,232  
1 13 ..... FTEs 112.28  
1 14 b. For the payment of utility costs and for not more than  
1 15 the following full-time equivalent positions:  
1 16 ..... \$ 3,517,432  
1 17 ..... FTEs 2.00  
1 18 Notwithstanding section 8.33, any excess funds appropriated  
1 19 for utility costs in this lettered paragraph shall not revert  
1 20 to the general fund of the state at the end of the fiscal year  
1 21 but shall remain available for expenditure for the purposes of  
1 22 this lettered paragraph during the succeeding fiscal year.  
1 23 It is the intent of the general assembly that the  
1 24 department shall reduce utility costs through energy  
1 25 conservation practices. The goal of the general assembly is  
1 26 to reduce energy use by 10 percent to save money, conserve  
1 27 energy resources, and reduce pollution.  
1 28 c. It is the intent of the general assembly that the state  
1 29 maintain a cost effective, reliable motor vehicle fleet for  
1 30 state operations. It is the goal of the general assembly that  
1 31 the department shall take all available steps to reduce motor  
1 32 vehicle fleet operation and purchasing costs by 7.5 percent.  
1 33 It is also the intent of the general assembly that replacement  
1 34 motor vehicles purchased by the department shall include only  
1 35 those options necessary for the intended purpose of the  
2 1 vehicles purchased unless inclusion of the options are part of  
2 2 the lowest responsible cost package available for the vehicles  
2 3 purchased. In addition, to maximize the cost effectiveness of  
2 4 the motor vehicle fleet given the current fiscal environment,  
2 5 it is also the intent of the general assembly that the  
2 6 department implement a policy, effective July 1, 2009, to  
2 7 extend the time that vehicles in the department's motor  
2 8 vehicle fleet are retained and used by the state with the  
2 9 purpose of reducing the cost of fleet operations for state  
2 10 agencies. The policy change shall incorporate an increase in  
2 11 the overall length of time that a vehicle is retained in  
2 12 addition to an increase in the number of miles that a vehicle  
2 13 is driven prior to being replaced. The department shall  
2 14 submit a report to the general assembly by January 1, 2010,

2 15 concerning the department's efforts to reduce state motor  
2 16 vehicle fleet costs, including data on the extent of savings  
2 17 realized.

2 18 2. Members of the general assembly serving as members of  
2 19 the deferred compensation advisory board shall be entitled to  
2 20 receive per diem and necessary travel and actual expenses  
2 21 pursuant to section 2.10, subsection 5, while carrying out  
2 22 their official duties as members of the board.

2 23 3. Any funds and premiums collected by the department for  
2 24 workers' compensation shall be segregated into a separate  
2 25 workers' compensation fund in the state treasury to be used  
2 26 for payment of state employees' workers' compensation claims  
2 27 and administrative costs. Notwithstanding section 8.33,  
2 28 unencumbered or unobligated moneys remaining in this workers'  
2 29 compensation fund at the end of the fiscal year shall not  
2 30 revert but shall be available for expenditure for purposes of  
2 31 the fund for subsequent fiscal years.

2 32 4. For the fiscal year beginning July 1, 2009, and ending  
2 33 June 30, 2010, the rate set for a service provided solely by  
2 34 the department of administrative services as determined  
2 35 pursuant to section 8.6, subsection 16, paragraph "c", shall  
3 1 not exceed the rate set for that service as of January 1,  
3 2 2009.

3 3 Sec. 2. REVOLVING FUNDS. There is appropriated to the  
3 4 department of administrative services for the fiscal year  
3 5 beginning July 1, 2009, and ending June 30, 2010, from the  
3 6 revolving funds designated in chapter 8A and from internal  
3 7 service funds created by the department such amounts as the  
3 8 department deems necessary for the operation of the department  
3 9 consistent with the requirements of chapter 8A.

3 10 Sec. 3. FUNDING FOR IOWACCESS.

3 11 1. Notwithstanding section 321A.3, subsection 1, for the  
3 12 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
3 13 the first \$1,000,000 collected and transferred by the  
3 14 department of transportation to the treasurer of state with  
3 15 respect to the fees for transactions involving the furnishing  
3 16 of a certified abstract of a vehicle operating record under  
3 17 section 321A.3, subsection 1, shall be transferred to the  
3 18 IowAccess revolving fund established by section 8A.224 and  
3 19 administered by the department of administrative services for  
3 20 the purposes of developing, implementing, maintaining, and  
3 21 expanding electronic access to government records as provided  
3 22 by law.

3 23 2. All fees collected with respect to transactions  
3 24 involving IowAccess shall be deposited in the IowAccess  
3 25 revolving fund and shall be used only for the support of  
3 26 IowAccess projects.

3 27 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION  
3 28 CHARGE. For the fiscal year beginning July 1, 2009, and  
3 29 ending June 30, 2010, the monthly per contract administrative  
3 30 charge which may be assessed by the department of  
3 31 administrative services shall be \$2 per contract on all health  
3 32 insurance plans administered by the department.

3 33 Sec. 5. AUDITOR OF STATE.

3 34 1. There is appropriated from the general fund of the  
3 35 state to the office of the auditor of state for the fiscal  
4 1 year beginning July 1, 2009, and ending June 30, 2010, the  
4 2 following amount, or so much thereof as is necessary, to be  
4 3 used for the purposes designated:

4 4 For salaries, support, maintenance, and miscellaneous  
4 5 purposes, and for not more than the following full-time  
4 6 equivalent positions:  
4 7 ..... \$ 905,468  
4 8 ..... FTEs 103.00

4 9 The auditor of state may retain additional full-time  
4 10 equivalent positions as is reasonable and necessary to perform  
4 11 governmental subdivision audits which are reimbursable  
4 12 pursuant to section 11.20 or 11.21, to perform audits which  
4 13 are requested by and reimbursable from the federal government,  
4 14 and to perform work requested by and reimbursable from  
4 15 departments or agencies pursuant to section 11.5A or 11.5B.  
4 16 The auditor of state shall notify the department of  
4 17 management, the legislative fiscal committee, and the  
4 18 legislative services agency of the additional full-time  
4 19 equivalent positions retained.

4 20 2. As a condition of receiving funding appropriated in  
4 21 this section, for the fiscal year beginning July 1, 2009, and  
4 22 ending June 30, 2010, the auditor shall comply with all of the  
4 23 following requirements:

4 24 a. The rates and fees set by the auditor to conduct audits  
4 25 for the fiscal year shall not exceed the rates and fees set

4 26 for conducting audits as of January 1, 2009.  
4 27 b. The auditor shall not seek reimbursement from  
4 28 departments and agencies specified in section 11.5B in an  
4 29 amount that exceeds the total amount reimbursed to the auditor  
4 30 by those departments and agencies for the fiscal year  
4 31 beginning July 1, 2008.

4 32 c. The auditor shall not seek reimbursement from  
4 33 governmental subdivisions for audits which are reimbursable  
4 34 pursuant to section 11.20 or 11.21 in an amount that exceeds  
4 35 the total amount reimbursed to the auditor by governmental  
5 1 subdivisions for the fiscal year beginning July 1, 2008.

5 2 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
5 3 is appropriated from the general fund of the state to the Iowa  
5 4 ethics and campaign disclosure board for the fiscal year  
5 5 beginning July 1, 2009, and ending June 30, 2010, the  
5 6 following amount, or so much thereof as is necessary, for the  
5 7 purposes designated:

5 8 For salaries, support, maintenance, and miscellaneous  
5 9 purposes, and for not more than the following full-time  
5 10 equivalent positions:

5 11 ..... \$ 523,000  
5 12 ..... FTEs 6.00

5 13 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated  
5 14 from the general fund of the state to the department of  
5 15 commerce for the fiscal year beginning July 1, 2009, and  
5 16 ending June 30, 2010, the following amounts, or so much  
5 17 thereof as is necessary, for the purposes designated:

5 18 1. ALCOHOLIC BEVERAGES DIVISION

5 19 For salaries, support, maintenance, and miscellaneous  
5 20 purposes, and for not more than the following full-time  
5 21 equivalent positions:

5 22 ..... \$ 2,007,160  
5 23 ..... FTEs 38.00

5 24 2. BANKING DIVISION

5 25 a. Banking. For salaries, support, maintenance, and  
5 26 miscellaneous purposes, and for not more than the following  
5 27 full-time equivalent positions:

5 28 ..... \$ 8,063,060  
5 29 ..... FTEs 73.00

5 30 b. Professional licensing and regulation. For salaries,  
5 31 support, maintenance, and miscellaneous purposes, and for not  
5 32 more than the following full-time equivalent positions:

5 33 ..... \$ 900,553  
5 34 ..... FTEs 16.00

5 35 3. CREDIT UNION DIVISION

6 1 For salaries, support, maintenance, and miscellaneous  
6 2 purposes, and for not more than the following full-time  
6 3 equivalent positions:

6 4 ..... \$ 1,608,388  
6 5 ..... FTEs 19.00

6 6 4. INSURANCE DIVISION

6 7 a. For salaries, support, maintenance, and miscellaneous  
6 8 purposes, and for not more than the following full-time  
6 9 equivalent positions:

6 10 ..... \$ 4,711,954  
6 11 ..... FTEs 101.00

6 12 b. For the use of the senior health insurance information  
6 13 program:

6 14 ..... \$ 52,253

6 15 c. For identification and regulation of procedures and  
6 16 practices related to health care as provided in section 505.8,  
6 17 subsection 7:

6 18 ..... \$ 69,670

6 19 d. The insurance division may reallocate authorized full-  
6 20 time equivalent positions as necessary to respond to  
6 21 accreditation recommendations or requirements. The insurance  
6 22 division expenditures for examination purposes may exceed the  
6 23 projected receipts, refunds, and reimbursements, estimated  
6 24 pursuant to section 505.7, subsection 7, including the  
6 25 expenditures for retention of additional personnel, if the  
6 26 expenditures are fully reimbursable and the division first  
6 27 does both of the following:

6 28 (1) Notifies the department of management, the legislative  
6 29 services agency, and the legislative fiscal committee of the  
6 30 need for the expenditures.

6 31 (2) Files with each of the entities named in subparagraph  
6 32 (1) the legislative and regulatory justification for the  
6 33 expenditures, along with an estimate of the expenditures.

6 34 e. The insurance division shall allocate \$10,000 from the  
6 35 examination receipts for the payment of its fees to the  
7 1 national conference of insurance legislators.

7 2 5. UTILITIES DIVISION  
 7 3 a. For salaries, support, maintenance, and miscellaneous  
 7 4 purposes, and for not more than the following full-time  
 7 5 equivalent positions:  
 7 6 ..... \$ 7,255,940  
 7 7 ..... FTEs 79.00  
 7 8 b. The utilities division may expend additional funds,  
 7 9 including funds for additional personnel, if those additional  
 7 10 expenditures are actual expenses which exceed the funds  
 7 11 budgeted for utility regulation and the expenditures are fully  
 7 12 reimbursable. Before the division expends or encumbers an  
 7 13 amount in excess of the funds budgeted for regulation, the  
 7 14 division shall first do both of the following:  
 7 15 (1) Notify the department of management, the legislative  
 7 16 services agency, and the legislative fiscal committee of the  
 7 17 need for the expenditures.  
 7 18 (2) File with each of the entities named in subparagraph  
 7 19 (1) the legislative and regulatory justification for the  
 7 20 expenditures, along with an estimate of the expenditures.  
 7 21 c. Notwithstanding sections 8.33 and 476.10 or any other  
 7 22 provision to the contrary, any balance of the appropriation  
 7 23 made in this subsection for the utilities division or any  
 7 24 other operational appropriation made for the fiscal year  
 7 25 beginning July 1, 2009, and ending June 30, 2010, that remains  
 7 26 unused, unencumbered, or unobligated at the close of the  
 7 27 fiscal year shall not revert but shall remain available to be  
 7 28 used for purposes of the energy-efficient building project  
 7 29 authorized under section 476.10B, or for relocation costs in  
 7 30 succeeding fiscal years.  
 7 31 6. CHARGES == TRAVEL  
 7 32 Each division and the office of consumer advocate shall  
 7 33 include in its charges assessed or revenues generated an  
 7 34 amount sufficient to cover the amount stated in its  
 7 35 appropriation and any state-assessed indirect costs determined  
 8 1 by the department of administrative services. The director of  
 8 2 the department of commerce shall review on a quarterly basis  
 8 3 all out-of-state travel for the previous quarter for officers  
 8 4 and employees of each division of the department if the travel  
 8 5 is not already authorized by the executive council.  
 8 6 Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING  
 8 7 AND REGULATION BUREAU. There is appropriated from the housing  
 8 8 trust fund of the Iowa finance authority created in section  
 8 9 16.181, to the bureau of professional licensing and regulation  
 8 10 of the banking division of the department of commerce for the  
 8 11 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
 8 12 the following amount, or so much thereof as is necessary, to  
 8 13 be used for the purposes designated:  
 8 14 For salaries, support, maintenance, and miscellaneous  
 8 15 purposes:  
 8 16 ..... \$ 62,317  
 8 17 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
 8 18 appropriated from the general fund of the state to the offices  
 8 19 of the governor and the lieutenant governor for the fiscal  
 8 20 year beginning July 1, 2009, and ending June 30, 2010, the  
 8 21 following amounts, or so much thereof as is necessary, to be  
 8 22 used for the purposes designated:  
 8 23 1. GENERAL OFFICE  
 8 24 For salaries, support, maintenance, and miscellaneous  
 8 25 purposes for the general office of the governor and the  
 8 26 general office of the lieutenant governor, and for not more  
 8 27 than the following full-time equivalent positions:  
 8 28 ..... \$ 1,893,857  
 8 29 ..... FTEs 25.25  
 8 30 2. TERRACE HILL QUARTERS  
 8 31 For salaries, support, maintenance, and miscellaneous  
 8 32 purposes for the governor's quarters at Terrace Hill, and for  
 8 33 not more than the following full-time equivalent positions:  
 8 34 ..... \$ 438,101  
 8 35 ..... FTEs 10.00  
 9 1 3. ADMINISTRATIVE RULES COORDINATOR  
 9 2 For salaries, support, maintenance, and miscellaneous  
 9 3 purposes for the office of administrative rules coordinator,  
 9 4 and for not more than the following full-time equivalent  
 9 5 positions:  
 9 6 ..... \$ 141,297  
 9 7 ..... FTEs 3.00  
 9 8 4. NATIONAL GOVERNORS ASSOCIATION  
 9 9 For payment of Iowa's membership in the national governors  
 9 10 association:  
 9 11 ..... \$ 70,783  
 9 12 5. STATE=FEDERAL RELATIONS

9 13 For salaries, support, maintenance, and miscellaneous  
 9 14 purposes for the office for state=federal relations, and for  
 9 15 not more than the following full=time equivalent positions:  
 9 16 ..... \$ 46,620  
 9 17 ..... FTEs 1.00  
 9 18 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There  
 9 19 is appropriated from the general fund of the state to the  
 9 20 governor's office of drug control policy for the fiscal year  
 9 21 beginning July 1, 2009, and ending June 30, 2010, the  
 9 22 following amount, or so much thereof as is necessary, to be  
 9 23 used for the purposes designated:  
 9 24 For salaries, support, maintenance, and miscellaneous  
 9 25 purposes, including statewide coordination of the drug abuse  
 9 26 resistance education (D.A.R.E.) programs or similar programs,  
 9 27 and for not more than the following full=time equivalent  
 9 28 positions:  
 9 29 ..... \$ 348,368  
 9 30 ..... FTEs 8.00  
 9 31 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is  
 9 32 appropriated from the general fund of the state to the  
 9 33 department of human rights for the fiscal year beginning July  
 9 34 1, 2009, and ending June 30, 2010, the following amounts, or  
 9 35 so much thereof as is necessary, to be used for the purposes  
 10 1 designated:  
 10 2 1. CENTRAL ADMINISTRATION DIVISION  
 10 3 For salaries, support, maintenance, and miscellaneous  
 10 4 purposes, and for not more than the following full=time  
 10 5 equivalent positions:  
 10 6 ..... \$ 306,777  
 10 7 ..... FTEs 7.00  
 10 8 2. DEAF SERVICES DIVISION  
 10 9 For salaries, support, maintenance, and miscellaneous  
 10 10 purposes, and for not more than the following full=time  
 10 11 equivalent positions:  
 10 12 ..... \$ 378,792  
 10 13 ..... FTEs 6.00  
 10 14 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE  
 10 15 DIVISION  
 10 16 For salaries, support, maintenance, and miscellaneous  
 10 17 purposes, and for not more than the following full=time  
 10 18 equivalent positions:  
 10 19 ..... \$ 133,430  
 10 20 ..... FTEs 1.00  
 10 21 4. PERSONS WITH DISABILITIES DIVISION  
 10 22 For salaries, support, maintenance, and miscellaneous  
 10 23 purposes, and for not more than the following full=time  
 10 24 equivalent positions:  
 10 25 ..... \$ 208,231  
 10 26 ..... FTEs 3.20  
 10 27 5. LATINO AFFAIRS DIVISION  
 10 28 For salaries, support, maintenance, and miscellaneous  
 10 29 purposes, and for not more than the following full=time  
 10 30 equivalent positions:  
 10 31 ..... \$ 178,100  
 10 32 ..... FTEs 3.00  
 10 33 6. STATUS OF WOMEN DIVISION  
 10 34 For salaries, support, maintenance, and miscellaneous  
 10 35 purposes, including the domestic violence and sexual  
 11 1 assault=related grants, and for not more than the following  
 11 2 full=time equivalent positions:  
 11 3 ..... \$ 315,883  
 11 4 ..... FTEs 3.00  
 11 5 7. STATUS OF AFRICAN=AMERICANS DIVISION  
 11 6 For salaries, support, maintenance, and miscellaneous  
 11 7 purposes, and for not more than the following full=time  
 11 8 equivalent positions:  
 11 9 ..... \$ 166,796  
 11 10 ..... FTEs 2.00  
 11 11 8. NATIVE AMERICAN AFFAIRS DIVISION  
 11 12 For travel reimbursement for members of the commission on  
 11 13 Native American affairs:  
 11 14 ..... \$ 3,814  
 11 15 9. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION  
 11 16 For salaries, support, maintenance, and miscellaneous  
 11 17 purposes, and for not more than the following full=time  
 11 18 equivalent positions:  
 11 19 ..... \$ 1,427,472  
 11 20 ..... FTEs 11.18  
 11 21 The criminal and juvenile justice planning advisory council  
 11 22 and the juvenile justice advisory council shall coordinate  
 11 23 their efforts in carrying out their respective duties relative

11 24 to juvenile justice.

11 25 10. SHARED STAFF

11 26 The divisions of the department of human rights shall

11 27 retain their individual administrators, but shall share staff

11 28 to the greatest extent possible.

11 29 11. DEPARTMENT STUDY == REPORT

11 30 The department of human rights shall conduct a study to

11 31 examine the organization and duties of the department and

11 32 whether reorganizing the structure of the department could

11 33 provide enhanced services to Iowans in a more efficient

11 34 manner. The department shall submit a written report to the

11 35 general assembly by January 1, 2010, concerning the results of

12 1 the study, including its findings and recommendations.

12 2 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is

12 3 appropriated from the general fund of the state to the

12 4 department of inspections and appeals for the fiscal year

12 5 beginning July 1, 2009, and ending June 30, 2010, the

12 6 following amounts, or so much thereof as is necessary, for the

12 7 purposes designated:

12 8 1. ADMINISTRATION DIVISION

12 9 For salaries, support, maintenance, and miscellaneous

12 10 purposes, and for not more than the following full-time

12 11 equivalent positions:

12 12 ..... \$ 2,005,011

12 13 ..... FTEs 40.25

12 14 As a condition of receiving funding appropriated in this

12 15 subsection, the department shall maintain the targeted small

12 16 business certification employee position within the division.

12 17 2. ADMINISTRATIVE HEARINGS DIVISION

12 18 For salaries, support, maintenance, and miscellaneous

12 19 purposes, and for not more than the following full-time

12 20 equivalent positions:

12 21 ..... \$ 677,317

12 22 ..... FTEs 24.00

12 23 3. INVESTIGATIONS DIVISION

12 24 For salaries, support, maintenance, and miscellaneous

12 25 purposes, and for not more than the following full-time

12 26 equivalent positions:

12 27 ..... \$ 1,452,962

12 28 ..... FTEs 50.00

12 29 4. HEALTH FACILITIES DIVISION

12 30 For salaries, support, maintenance, and miscellaneous

12 31 purposes, and for not more than the following full-time

12 32 equivalent positions:

12 33 ..... \$ 2,235,383

12 34 ..... FTEs 140.75

12 35 5. EMPLOYMENT APPEAL BOARD

13 1 For salaries, support, maintenance, and miscellaneous

13 2 purposes, and for not more than the following full-time

13 3 equivalent positions:

13 4 ..... \$ 51,465

13 5 ..... FTEs 15.00

13 6 The employment appeal board shall be reimbursed by the

13 7 labor services division of the department of workforce

13 8 development for all costs associated with hearings conducted

13 9 under chapter 91C, related to contractor registration. The

13 10 board may expend, in addition to the amount appropriated under

13 11 this subsection, additional amounts as are directly billable

13 12 to the labor services division under this subsection and to

13 13 retain the additional full-time equivalent positions as needed

13 14 to conduct hearings required pursuant to chapter 91C.

13 15 6. CHILD ADVOCACY BOARD

13 16 For foster care review and the court appointed special

13 17 advocate program, including salaries, support, maintenance,

13 18 and miscellaneous purposes, and for not more than the

13 19 following full-time equivalent positions:

13 20 ..... \$ 2,920,367

13 21 ..... FTEs 45.12

13 22 a. The department of human services, in coordination with

13 23 the child advocacy board and the department of inspections and

13 24 appeals, shall submit an application for funding available

13 25 pursuant to Title IV-E of the federal Social Security Act for

13 26 claims for child advocacy board administrative review costs.

13 27 b. The court appointed special advocate program shall

13 28 investigate and develop opportunities for expanding fund=

13 29 raising for the program.

13 30 c. Administrative costs charged by the department of

13 31 inspections and appeals for items funded under this subsection

13 32 shall not exceed 4 percent of the amount appropriated in this

13 33 subsection.

13 34 d. Notwithstanding any provision of sections 237.18 and

13 35 237.20 to the contrary, the child advocacy board may establish  
14 1 up to six pilot projects using alternative policies to guide  
14 2 the selection of cases and the procedures used by local  
14 3 citizen foster care review boards as they review cases of  
14 4 children who received or are receiving foster care or other  
14 5 out-of-home placement services while under the supervision of  
14 6 the department of human services. Policies to guide the pilot  
14 7 project case selection, review time frames and reporting  
14 8 formats shall be approved by the department of human services,  
14 9 state court administrator, and the chief judge of any judicial  
14 10 district in which a pilot project is to be implemented. The  
14 11 child advocacy board shall report to the governor and general  
14 12 assembly by January 1, 2010, on the progress of any new  
14 13 approaches and their impact on efficiencies and case outcomes.

14 14 Sec. 13. RACING AND GAMING COMMISSION.

14 15 1. RACETRACK REGULATION

14 16 There is appropriated from the general fund of the state to  
14 17 the racing and gaming commission of the department of  
14 18 inspections and appeals for the fiscal year beginning July 1,  
14 19 2009, and ending June 30, 2010, the following amount, or so  
14 20 much thereof as is necessary, to be used for the purposes  
14 21 designated:

14 22 For salaries, support, maintenance, and miscellaneous  
14 23 purposes for the regulation of pari-mutuel racetracks, and for  
14 24 not more than the following full-time equivalent positions:  
14 25 ..... \$ 2,653,308  
14 26 ..... FTEs 28.53

14 27 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

14 28 There is appropriated from the general fund of the state to  
14 29 the racing and gaming commission of the department of  
14 30 inspections and appeals for the fiscal year beginning July 1,  
14 31 2009, and ending June 30, 2010, the following amount, or so  
14 32 much thereof as is necessary, to be used for the purposes  
14 33 designated:

14 34 For salaries, support, maintenance, and miscellaneous  
14 35 purposes for administration and enforcement of the excursion  
15 1 boat gambling and gambling structure laws, and for not more  
15 2 than the following full-time equivalent positions:  
15 3 ..... \$ 3,050,753  
15 4 ..... FTEs 42.22

15 5 Sec. 14. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF  
15 6 INSPECTIONS AND APPEALS. There is appropriated from the road  
15 7 use tax fund to the administrative hearings division of the  
15 8 department of inspections and appeals for the fiscal year  
15 9 beginning July 1, 2009, and ending June 30, 2010, the  
15 10 following amount, or so much thereof as is necessary, for the  
15 11 purposes designated:

15 12 For salaries, support, maintenance, and miscellaneous  
15 13 purposes:  
15 14 ..... \$ 1,623,897

15 15 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated  
15 16 from the general fund of the state to the department of  
15 17 management for the fiscal year beginning July 1, 2009, and  
15 18 ending June 30, 2010, the following amounts, or so much  
15 19 thereof as is necessary, to be used for the purposes  
15 20 designated:

15 21 For salaries, support, maintenance, and miscellaneous  
15 22 purposes, and for not more than the following full-time  
15 23 equivalent positions:  
15 24 ..... \$ 2,811,511  
15 25 ..... FTEs 36.50

15 26 Of the moneys appropriated in this section, the department  
15 27 shall use a portion for enterprise resource planning,  
15 28 providing for a salary model administrator, conducting  
15 29 performance audits, and for the department's LEAN process.

15 30 Sec. 16. ROAD USE TAX APPROPRIATION. There is  
15 31 appropriated from the road use tax fund to the department of  
15 32 management for the fiscal year beginning July 1, 2009, and  
15 33 ending June 30, 2010, the following amount, or so much thereof  
15 34 as is necessary, to be used for the purposes designated:

15 35 For salaries, support, maintenance, and miscellaneous  
16 1 purposes:  
16 2 ..... \$ 56,000

16 3 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated  
16 4 from the general fund of the state to the department of  
16 5 revenue for the fiscal year beginning July 1, 2009, and ending  
16 6 June 30, 2010, the following amounts, or so much thereof as is  
16 7 necessary, to be used for the purposes designated:

16 8 For salaries, support, maintenance, and miscellaneous  
16 9 purposes, and for not more than the following full-time  
16 10 equivalent positions:

16 11 ..... \$ 22,754,688  
16 12 ..... FTEs 400.00  
16 13 Of the funds appropriated pursuant to this section,  
16 14 \$400,000 shall be used to pay the direct costs of compliance  
16 15 related to the collection and distribution of local sales and  
16 16 services taxes imposed pursuant to chapters 423B and 423E.  
16 17 The director of revenue shall prepare and issue a state  
16 18 appraisal manual and the revisions to the state appraisal  
16 19 manual as provided in section 421.17, subsection 17, without  
16 20 cost to a city or county.  
16 21 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
16 22 appropriated from the motor fuel tax fund created by section  
16 23 452A.77 to the department of revenue for the fiscal year  
16 24 beginning July 1, 2009, and ending June 30, 2010, the  
16 25 following amount, or so much thereof as is necessary, to be  
16 26 used for the purposes designated:  
16 27 For salaries, support, maintenance, and miscellaneous  
16 28 purposes for administration and enforcement of the provisions  
16 29 of chapter 452A and the motor vehicle use tax program:  
16 30 ..... \$ 1,305,775  
16 31 Sec. 19. SECRETARY OF STATE. There is appropriated from  
16 32 the general fund of the state to the office of the secretary  
16 33 of state for the fiscal year beginning July 1, 2009, and  
16 34 ending June 30, 2010, the following amounts, or so much  
16 35 thereof as is necessary, to be used for the purposes  
17 1 designated:  
17 2 For salaries, support, maintenance, and miscellaneous  
17 3 purposes, and for not more than the following full-time  
17 4 equivalent positions:  
17 5 ..... \$ 3,217,317  
17 6 ..... FTEs 44.00  
17 7 The state department or state agency which provides data  
17 8 processing services to support voter registration file  
17 9 maintenance and storage shall provide those services without  
17 10 charge.  
17 11 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.  
17 12 Notwithstanding the obligation to collect fees pursuant to the  
17 13 provisions of section 490.122, subsection 1, paragraphs "a"  
17 14 and "s", and section 504.113, subsection 1, paragraphs "a",  
17 15 "c", "d", "j", "k", "l", and "m", for the fiscal year  
17 16 beginning July 1, 2009, and ending June 30, 2010, the  
17 17 secretary of state may refund these fees to the filer pursuant  
17 18 to rules established by the secretary of state. The decision  
17 19 of the secretary of state not to issue a refund under rules  
17 20 established by the secretary of state is final and not subject  
17 21 to review pursuant to the provisions of the Iowa  
17 22 administrative procedure Act, chapter 17A.  
17 23 Sec. 21. TREASURER. There is appropriated from the  
17 24 general fund of the state to the office of treasurer of state  
17 25 for the fiscal year beginning July 1, 2009, and ending June  
17 26 30, 2010, the following amount, or so much thereof as is  
17 27 necessary, to be used for the purposes designated:  
17 28 For salaries, support, maintenance, and miscellaneous  
17 29 purposes, and for not more than the following full-time  
17 30 equivalent positions:  
17 31 ..... \$ 949,210  
17 32 ..... FTEs 28.80  
17 33 The office of treasurer of state shall supply clerical and  
17 34 secretarial support for the executive council.  
17 35 Sec. 22. ROAD USE TAX APPROPRIATION. There is  
18 1 appropriated from the road use tax fund to the office of  
18 2 treasurer of state for the fiscal year beginning July 1, 2009,  
18 3 and ending June 30, 2010, the following amount, or so much  
18 4 thereof as necessary, to be used for the purposes designated:  
18 5 For enterprise resource management costs related to the  
18 6 distribution of road use tax funds:  
18 7 ..... \$ 93,148  
18 8 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated  
18 9 from the Iowa public employees' retirement system fund to the  
18 10 Iowa public employees' retirement system for the fiscal year  
18 11 beginning July 1, 2009, and ending June 30, 2010, the  
18 12 following amount, or so much thereof as is necessary, to be  
18 13 used for the purposes designated:  
18 14 For salaries, support, maintenance, and other operational  
18 15 purposes to pay the costs of the Iowa public employees'  
18 16 retirement system, and for not more than the following full=  
18 17 time equivalent positions:  
18 18 ..... \$ 18,001,480  
18 19 ..... FTEs 95.13  
18 20 Sec. 24. REBUILD IOWA OFFICE. There is appropriated from  
18 21 the general fund of the state to the rebuild Iowa office for

18 22 the fiscal year beginning July 1, 2009, and ending June 30,  
18 23 2010, the following amount, or so much thereof as is  
18 24 necessary, to be used for the purposes designated:  
18 25 For salaries, support, maintenance, miscellaneous purposes,  
18 26 and for not more than the following full-time equivalent  
18 27 positions:

18 28 ..... \$ 198,277  
18 29 ..... FTEs 12.00

18 30 Sec. 25. STATE EMPLOYEE POSITIONS. The director of a  
18 31 department or state agency to which appropriations are made  
18 32 pursuant to the provisions of this Act shall implement  
18 33 cost-saving strategies designed to prevent, to the extent  
18 34 possible, permanent layoffs of state employees within that  
18 35 department or state agency.

19 1 DIVISION II

19 2 MISCELLANEOUS PROVISIONS

19 3 Sec. 26. Section 8A.454, subsection 4, Code 2009, is  
19 4 amended to read as follows:

19 5 4. This section is repealed July 1, ~~2009~~ 2010.

19 6 Sec. 27. 2008 Iowa Acts, chapter 1176, section 5,  
19 7 subsection 1, is amended to read as follows:

19 8 1. If any federal funding is received for the same or  
19 9 similar purposes authorized in section 47.10, as enacted by  
19 10 this Act, of the amount appropriated in this section, \$61,000  
19 11 is allocated for matching such federal funding, ~~and an amount~~  
~~19 12 equal to the federal funding received shall revert from the~~  
~~19 13 amount appropriated to the rebuild Iowa infrastructure fund at~~  
~~19 14 the end of the fiscal year.~~

19 15 Sec. 28. EFFECTIVE DATES == RETROACTIVE APPLICABILITY.

19 16 1. The section of this division of this Act amending  
19 17 section 8A.454, being deemed of immediate importance, takes  
19 18 effect upon enactment.

19 19 2. The section of this division of this Act amending 2008  
19 20 Iowa Acts, chapter 1176, section 5, subsection 1, being deemed  
19 21 of immediate importance, takes effect upon enactment and is  
19 22 retroactively applicable to federal funding received on and  
19 23 after April 1, 2008.

19 24 DIVISION III

19 25 GRANTS ENTERPRISE MANAGEMENT OFFICE

19 26 Sec. 29. Section 8.11, subsection 3, Code 2009, is amended  
19 27 by striking the subsection.

19 28 Sec. 30. Section 8A.505, subsection 2, Code 2009, is  
19 29 amended by striking the subsection.

19 30 Sec. 31. Section 8.9 and 8.10, Code 2009, are repealed.

19 31 DIVISION IV

19 32 SALE OF ABANDONED PROPERTY

19 33 Sec. 32. Section 556.17, subsections 1 and 2, Code 2009,  
19 34 are amended to read as follows:

19 35 1. All abandoned property other than money delivered to  
20 1 the treasurer of state under this chapter which remains  
20 2 unclaimed one year after the delivery to the treasurer may be  
20 3 sold to the highest bidder ~~at public sale in any city in the~~  
~~20 4 state in a manner~~ that affords in the treasurer's judgment the  
20 5 most favorable market for the property involved. The  
20 6 treasurer of state may decline the highest bid and reoffer the  
20 7 property for sale if the treasurer considers the price bid  
20 8 insufficient. The treasurer need not offer any property for  
20 9 sale if, in the treasurer's opinion, the probable cost of sale  
20 10 exceeds the value of the property. The treasurer may order  
20 11 destruction of the property when the treasurer has determined  
20 12 that the probable cost of offering the property for sale  
20 13 exceeds the value of the property. If the treasurer  
20 14 determines that the property delivered does not have any  
20 15 substantial commercial value, the treasurer may destroy or  
20 16 otherwise dispose of the property at any time. An action or  
20 17 proceeding may not be maintained against the treasurer or any  
20 18 officer or against the holder for or on account of an act the  
20 19 treasurer made under this section, except for intentional  
20 20 misconduct or malfeasance.

20 21 2. a. Any sale held ~~or destruction ordered~~ under this  
20 22 section shall be preceded by a single publication of notice of  
20 23 the sale ~~or destruction order~~ at least three weeks in advance  
20 24 of sale ~~or destruction~~ in an English language newspaper of  
20 25 general circulation in the county ~~where the property is to be~~  
~~20 26 sold or, for the destruction, in the county from which the~~  
20 27 property was received, or in an English language newspaper of  
20 28 general circulation in the state.

20 29 b. If the treasurer holds an internet auction or a sale on  
20 30 the internet, the treasurer may elect to provide notice of the  
20 31 sale or auction on the treasurer's website at least seven days  
20 32 in advance of the sale or auction in lieu of providing notice

20 33 as otherwise provided in accordance with paragraph "a".

20 34 EXPLANATION

20 35 Division I of this bill relates to and appropriates moneys  
21 1 to various state departments, agencies, and funds for the  
21 2 fiscal year beginning July 1, 2009, and ending June 30, 2010.  
21 3 The division makes appropriations to state departments and  
21 4 agencies including the department of administrative services,  
21 5 auditor of state, Iowa ethics and campaign disclosure board,  
21 6 department of commerce, offices of governor and lieutenant  
21 7 governor, Terrace Hill quarters and drug control policy  
21 8 office, department of human rights, department of inspections  
21 9 and appeals, department of management, Iowa public employees'  
21 10 retirement system, secretary of state, treasurer of state, and  
21 11 department of revenue and the rebuild Iowa office. The  
21 12 division also appropriates funding for the state's membership  
21 13 in the national governors association.

21 14 Division II makes changes to provisions related to the  
21 15 appropriations made in the bill.

21 16 Code section 8A.454, concerning the health insurance  
21 17 administration fund, is amended to provide that the Code  
21 18 section is repealed July 1, 2010, instead of July 1, 2009.  
21 19 This provision of the bill takes effect upon enactment.

21 20 2008 Iowa Acts, chapter 1176, concerning appropriations to  
21 21 the office of the secretary of state for optical scan voting  
21 22 equipment, is amended to provide that if federal funding for  
21 23 this or a similar purpose is received, the secretary of state  
21 24 is not required to revert an amount to the rebuild Iowa  
21 25 infrastructure fund in an amount equal to the federal funding  
21 26 received.

21 27 Division III of the bill eliminates the grants enterprise  
21 28 management office in the department of management.

21 29 Division IV of the bill concerns the sale of abandoned  
21 30 property by the treasurer of state.

21 31 Code section 556.17 is amended to allow the treasurer to  
21 32 sell abandoned property in any manner that affords, in the  
21 33 treasurer's judgment, the most favorable market for the  
21 34 property involved. The Code section is also amended to  
21 35 provide that if the treasurer determines to sell the property  
22 1 on the internet by sale or auction, the treasurer may satisfy  
22 2 the notice requirements by posting a notice on the treasurer's  
22 3 website at least seven days in advance of the sale or auction.

22 4 LSB 1000JB 83

22 5 ec/tm:jp/24